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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,402	02/21/2001	Rayner Brondrup	3842-7	5430

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,402

Applicant(s)

BRONDRUP, RAYNER

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003 and 13 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 1/13/2004 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/788,402 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. Claims 1-20 have been cancelled; Claims 21-31 have been added. Therefore, Claims 21-31 are now pending in application 09/788,402.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. **Claims 21-25 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme et al. (US 5,948,040) in view of Pinzon (US 6,161,005).**
5. As per independent Claims 21 and 27, DeLorme discloses a method for providing automatic wireless hotel facility reservation and-or check-in and room access control in a system comprising a communication network interconnecting a telecommunication

system adapted to communicate wirelessly with a wireless telecommunication device of a wireless terminal of a user and a computerized reservation/IT system associated with a facility (Abstract, Fig 4, Fig. 9B, C8 L33-65, C16 L32-59, C79 L63-67, C80 L1-38).

6. DeLorme fails to expressly disclose wherein said computerized reservation/IT system including a means for electronic communication with a remotely operable door lock of the facility, said remotely operable door lock including a lock device and a first wireless device operationally associated with the lock device and adapted to communicate wirelessly with a second wireless device of the wireless terminal, said wireless terminal including the wireless telecommunication means arranged in communication with the second wireless communication device and arranged to communicate via the wireless telecommunication means to the computer reservation/IT system a reservation and/or check-in request of a terminal user; the method comprising: automatically generating in the computerized reservation/IT system an electronic key upon receiving from the wireless terminal a reservation and/or check-in request, automatically and wirelessly communicating a copy of the electronic key from the computerized reservation/IT system to the wireless terminal that originated the reservation and/or check-in request, and automatically an electronically communicating from the computerized reservation/IT system to the remotely operable door lock information corresponding to the electronic key, and automatically and wirelessly obtaining the remotely operable door lock, without the user of the wireless terminal having to press a button, a copy of the electronic key from the wireless terminal if the second wireless device and the first wireless device are mutually in-range, and automatically actuating by the remotely operable door lock the

lock device if the copy of the electronic key obtained from the wireless terminal corresponds to the information received from the computerized reservation/IT system.

7. Pinzon teaches an IT system, including a means for electronic communication with a remotely operable door lock of the facility (hotel: C2 L61-65), said remotely operable door lock including a lock device and a first wireless device operationally associated with the lock device and adapted to communicate wirelessly with a second wireless device of the wireless terminal (Abstract, Figs.1-4, C2 L38-65), said wireless terminal including the wireless telecommunication means arranged in communication with the second wireless communication device and arranged to communicate via the wireless telecommunication means to the computer IT system a request of a terminal user; the method comprising: automatically generating in the computerized IT system an electronic key upon receiving from the wireless terminal a request, automatically and wirelessly communicating a copy of the electronic key from the computerized reservation/IT system to the wireless terminal that originated the request, and automatically an electronically communicating from the computerized IT system to the remotely operable door lock information corresponding to the electronic key, and automatically and wirelessly obtaining the remotely operable door lock, without the user of the wireless terminal having to press a button (C3 L35-46), a copy of the electronic key from the wireless terminal if the second wireless device and the first wireless device are mutually in-range, and automatically actuating by the remotely operable door lock the lock device if the copy of the electronic key obtained from the wireless terminal corresponds to the information received from the computerized IT system (C2 L38-65, C3 L35-46).

8. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included means for electronic communication with a remotely operable door lock of the facility, said remotely operable door lock including a lock device and a first wireless device operationally associated with the lock device and adapted to communicate wirelessly with a second wireless device of the wireless terminal, said wireless terminal including the wireless telecommunication means arranged in communication with the second wireless communication device and arranged to communicate via the wireless telecommunication means to the computer IT system a request of a terminal user; the method comprising: automatically generating in the computerized IT system an electronic key upon receiving from the wireless terminal a request, automatically and wirelessly communicating a copy of the electronic key from the computerized reservation/IT system to the wireless terminal that originated the request, and automatically an electronically communicating from the computerized IT system to the remotely operable door lock information corresponding to the electronic key, and automatically and wirelessly obtaining the remotely operable door lock, without the user of the wireless terminal having to press a button, a copy of the electronic key from the wireless terminal if the second wireless device and the first wireless device are mutually in-range, and automatically actuating by the remotely operable door lock the lock device if the copy of the electronic key obtained from the wireless terminal corresponds to the information received from the computerized IT system, as disclosed by Pinzon in the system disclosed by DeLorme, for the advantage of providing a system (method) for providing automatic wireless hotel facility reservation and-or check-in and

room access control, with the ability to increase customer service and satisfaction by offering express/direct room access after a reservation has been confirmed and paid, through the use of mobile technology (Pinzon: C3 L47-53).

9. As per Claims 22 and 28, DeLorme and Pinzon disclose obtaining wirelessly by a third wireless device of a wireless monitoring unit in communication with the reservation/IT system, a copy of the electronic key from the wireless terminal when the second wireless device and the third wireless device are mutually in-range, communicating the obtained copy of the electronic key from the wireless monitoring unit to the computerized reservation/IT system, and invalidating in the computerized reservation/IT system and any connected remotely operable door lock any information corresponding to the copy of the electronic key obtained by the wireless monitoring unit if a reservation period associated with the copy of the electronic key has expired.
10. Neither DeLorme nor Pinzon expressly disclose invalidating in the reservation/IT system and any connected remotely operable door lock any information corresponding to the key obtained by the wireless monitoring unit if a reservation period associated with the key has expired.
11. However, Pinzon does teach using the door security system for hotels and varying the door locking codes periodically and/or when programmed (C2 L38-65, C6 L31-41); furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to change the code of the door security system once a hotel guest's stay is over or if the hotel guest did not pay the bill, the same way as the hotel management would take a physical key away from the departing or delinquent guest.

12. As per Claims 23 and 29, DeLorme and Pinzon disclose communicating a payment request from the computerized reservation/IT system to a payment server connected to the communication network upon invalidating the key if a payment for a reservation associated with the invalidated key has not been registered in the hotel computerized reservation/IT system at the time of invalidating the key (see rejection for Claims 22 and 28).
13. As per Claims 24 and 30, DeLorme and Pinzon disclose communicating the reservation and/or check-in request by means of WAP (WML/WML Script), a web application (HTML/Java Script) or a Java Application/Applet (Inherent to the system disclosed by DeLorme in view of Pinzon).
14. As per Claims 25 and 31, DeLorme and Pinzon disclose encrypting by the computerized reservation/IT system the electronic key before communicating the electronic key to the wireless terminal.
15. **Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeLorme in view of Pinzon, and further in view of Martin et al. (US 5,979, 754).**
16. As per Claim 26, While DeLorme and Pinzon do disclose a computerized reservation/IT system which can be accessed through the use of wireless terminals, DeLorme and Pinzon fail to disclose wherein the system is responsive to a check-out request received from the a terminal and arranged to act thereupon by communicating to the corresponding remotely operable door lock an invalidation command in respect of the information corresponding to the electronic key.

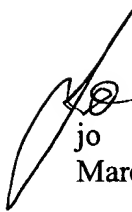
17. However, Martin discloses a computerized reservation/IT system wherein the system is responsive to a check-out request received from the a terminal and arranged to act thereupon by communicating to the corresponding remotely operable door lock an invalidation command in respect of the information corresponding to the electronic key (abstract, C12 L42-45).
18. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein the system is responsive to a check-out request received from the a terminal and arranged to act thereupon by communicating to the corresponding remotely operable door lock an invalidation command in respect of the information corresponding to the electronic key, as disclosed by Martin, in the system disclosed by Pinzon, in the system disclosed by DeLorme, for the advantage of providing a system (method) a method for providing automatic wireless hotel facility reservation and-or check-in and room access control, with the ability to increase customer service and satisfaction by offering express check-in/check-out service, through the use of mobile technology (Martin: C3 L62-66).

Response to Arguments

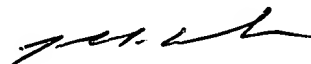
19. Applicant's arguments filed 11/12/03, with respect to Claims 21-31, have been considered but are moot in view of the new ground(s) of rejection (specifically rejection of independent claims 21 and 27 – see Pinzon C3 L35-45, C5 L19-22 (proximity), C6 L31-41 (or other computing device/wireless data communications interface)).

Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-3597 for After Final communications.
22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.



jo
March 2, 2004



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